

U.S.S.N. 09/942,959  
Osbakken *et al.*  
PRELIMINARY AMENDMENT

38. (New) A pharmaceutical composition, comprising:

an agent selected from the group consisting of an anti-histamine, a mast cell stabilizer, a non-antibiotic anti-microbial agent, an anti-leukotriene, an anti-viral, an antiseptic, a non-steroidal anti-inflammatory, a combination of at least two antibiotics, an agent for treating nasal polyps, an anticholinergic agent and combinations thereof; and

a surfactant, wherein:

the composition is formulated for nasal administration; and

has a surface tension effective for deposition, penetration or retention of the composition in the nasal sinuses.

A2 39. (New) The composition of claim 38, wherein the agent is for treatment of sinusitis.

40. (New) A pharmaceutical composition of claim 39, further comprising a second agent, wherein the second agent is for treating allergies.

41. (New) The composition of claim 38, wherein the anti-histamine is selected from the group consisting of ethanolamine, ethylenediamine, alkylamine, phenothiazine, piperazine, cyproheptidine, azatadine, diphenylpyraline, ketotifen, terfenadine, fexofenadine, astemizole, and phenindamine.

42. (New) The composition of claim 41, wherein the ethanolamine is selected from the group consisting of diphenhydramine, carbinoxamine, clemastine, phenyltoloxamine, doxylamine, dimenhydrinate, and bromodiphenhydramine hydrochloride.

43. (New) The composition of claim 41, wherein the ethylenediamine is selected from the group consisting of tripeleminamine, pyrillamine, antazoline, and methapyriline.

44. (New) The composition of claim 41, wherein the alkylamine is selected from the group consisting of pheniramine, chlorpheniramine, brompheniramine, dexchlorpheniramine, dimethindene, and triprolidine.

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45. (New) The composition of claim 41, wherein the phenothiazine is selected from the group consisting of promethazine, trimeprazine, propiornazine and methdilazine.

46. (New) The composition of claim 41, wherein the piperazine is selected from the group consisting of hydroxyzine hydrochloride, hydroxyzine pamoate, cyclizine, chlorcyclizine, buclizine and meclizine.

47. (New) The composition of claim 38, wherein the mast cell stabilizer is selected from the group consisting of cromolyn or nedocromil sodium.

48. (New) The composition of claim 38, wherein the non-antibiotic anti-microbial agent is taurolidine.

49. (New) The composition of claim 38, wherein the anti-leukotriene is selected from the group consisting of zafirlukast, montelukast, pranlukast, iralukast, and pobilukast.

50. (New) The composition of claim 38, wherein the antiseptic is selected from the group consisting of iodine, chlorhexidine acetate, sodium hypochlorite, calcium hydroxide and salts and combinations thereof.

51. (New) The composition of claim 38, wherein the non-steroidal anti-inflammatory is selected from the group consisting of fenoprofen, flurbiprofen, ibuprofen, ketoprofen, naproxen, oxaprozin, diclofenac, etodolac, indomethacin, ketorolac, nabumetone, sulindac, tolmetin, meclofenamate, mefenamic acid, piroxicam and suprofen.

52. (New) The composition of claim 38, wherein the at least two antibiotics are selected from the group consisting of penicillins, cephalosporins, macrolides, ketolides, sulfonamides, quinolones, aminoglycosides, beta lactam antibiotics, and linezolid.

53. (New) The composition of claim 38, wherein the combination of at least two antibiotics is cefuroxime and gentamicin.

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54. (New) The composition of claim 38, wherein the agent for treating nasal polyps is an antibacterial agent.

55. (New) The composition of claim 38, wherein the anticholinergic agent is selected from the group consisting of ipratropium, atropine, and scopolamine.

56. (New) The composition of claim 38, wherein the surfactant is selected from the group consisting of polyethylene glycol, sodium lauryl sulfate, sorbitan esters, polysorbates, tyloxapol or benzalkonium chloride.

57. (New) The composition of claim 38, further comprising a steroidal anti-inflammatory, an anti-fungal agent, a mucolytic agent or a decongestant.

58. (New) The composition of claim 57, wherein the anti-inflammatory agent is selected from the group consisting of a glucocorticoid, disodium cromoglycate and nedcromil sodium.

59. (New) The composition of claim 57, wherein the mucolytic agent selected from the group consisting of acetylcysteine or dornase alpha.

60. (New) The composition of claim 57, wherein the decongestant is selected from the group consisting of phenylephrine, naphazoline, oxymetazoline, tetrahydrozoline or xylometoazoline.

61. (New) The composition of claim 57, wherein the anti-fungal is selected from the group consisting of amphotericin, azole, itraconazole, miconazole, and fluconazole.

62. (New) The composition of claim 38, wherein the surface tension is about 10 to about 70 dynes/cm.

63. (New) The composition of claim 38, wherein the surface tension is about 20 to about 60 dynes/cm.

64. (New) The composition of claim 38, wherein the surface tension is about 30 to about 50 dynes/cm.

65. (New) The composition of claim 38, wherein the composition is formulated for administration via a nebulizer.

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66. (New) The composition of claim 38, wherein the composition has an osmotic pressure of about 150 mOsm/kg to about 880 mOsm/kg.

67. (New) A method of treating sinusitis, comprising the step of: nasally administering the composition of claim 38 to a mammal diagnosed or suspected of having sinusitis, wherein the composition comprises an agent for treating sinusitis.

68. (New) The method of claim 67, wherein the composition is administered via a nebulizer and having a nasal adapter.

69. (New) The method of claim 68, wherein the nebulizer is connected to a compressor.

70. (New) A method of treating nasal polyps, comprising the step of: nasally administering the composition of claim 38 to a mammal diagnosed with or suspected of having nasal polyps, wherein the composition comprises an agent for treating nasal polyps.

71. (New) The method of claim 70, wherein the composition is administered via a nebulizer and having a nasal adapter.

72. (New) The method of claim 71, wherein the nebulizer is connected to a compressor.

**REMARKS**

Any fees that may be due in connection with filing this paper, or with this application during its entire pendency, may be charged to Deposit Account No. 50-1213.

Claims 1-37 are cancelled herein without prejudice or disclaimer. New claims 38-72 are added. Basis for the new claims is found throughout the specification as originally filed, for example on pages 18-21 and the Examples.

The specification is amended to cancel the claim for priority. This application no longer claims priority to any previous application. No new matter has been added.

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